

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on January 2, 2019.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, Absent Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Daniel C. Jones, Finance Director/Treasurer Beth Wright, Fire Chief Tony Nichols, Police Chief Jason Taylor, and City Clerk Susan O'Brien.

**CONSENT AGENDA**

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting December 18, 2018; Fire Department report for the month of November, 2018; bills and payroll for the last half of December, 2018.

**Bills & Payroll**  
**last half of December 2018**

	<b><u>General Fund</u></b>		
Payroll		\$	261,574.33
Bills		\$	<u>51,751.52</u>
	Total	\$	313,325.85
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	2,846.70
Bills		\$	<u>468.00</u>
	Total	\$	3,314.70
	<b><u>Ins &amp; Tort Jdgmnt</u></b>		
Bills		\$	<u>441.50</u>
	Total	\$	441.50
	<b><u>Midtown TIF Fund</u></b>		
Bills		\$	<u>468.00</u>
	Total	\$	468.00
	<b><u>Water Fund</u></b>		
Payroll		\$	39,311.33
Bills		\$	<u>38,546.09</u>
	Total	\$	77,857.42

	<b><u>Sewer Fund</u></b>		
Payroll		\$	38,135.33
Bills		\$	<u>26,946.78</u>
	Total	\$	65,082.11
	<b><u>Health Insurance Fund</u></b>		
Bills		\$	<u>94,366.94</u>
	Total	\$	94,366.94
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills		\$	<u>2,928.91</u>
	Total	\$	2,928.91

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public questions or comments. There was no response from the Public.

**NEW BUSINESS:**

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2019-1894, approving the appointment of Officer Luke Wilson to regular employment status with the Mattoon Police Department after successful completion of his probationary period effective January 07, 2019.

Mayor Gover opened the floor for questions/comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to approve Council Decision Request 2019-1895, approving the appointment of Officer Tyler Poland to regular employment status with the Mattoon Police Department after successful completion of his probationary period effective January 07, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Council and Chief Taylor discussed the positive character of both appointments.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance 2019-1699, authorizing an Assignment of Lease of City of Mattoon property, which is a part of the abandoned Consolidated Rail Corporation Right-of-way West of 21<sup>st</sup> Street, from the First National Bank Land Trust Number 076 d/b/a Brian's Place, to NPHII, LLC.; and authorizing the mayor and city clerk to sign the lease agreement.

**SPECIAL ORDINANCE NO. 2019-1699**

**AN ORDINANCE AUTHORIZING AN ASSIGNMENT OF LEASE OF CITY OF MATTOON PROPERTY A PART OF THE ABANDONED CONSOLIDATED RAIL CORPORATION RIGHT-OF-WAY WEST OF 21<sup>ST</sup> STREET FROM THE FIRST NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 13, 1999, LAND TRUST NUMBER 076, D/B/A BRIAN'S PLACE, TO NPH II, LLC**

**WHEREAS**, The First National Bank, as Trustee under Trust Agreement dated May 13, 1999, Land Trust Number 076, dba Brian's Place, and the City of Mattoon, Coles County, Illinois entered into a certain Lease dated March 6, 2001 (the "Lease"), for the following described real estate:

A part of the abandoned Consolidated Rail Corporation right-of-way more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way line of the abandoned Consolidated Rail Corporation and the West right-of-way line of 21<sup>st</sup> Street; thence azimuth 0 22' 10" along the West line of 21<sup>st</sup> Street Sixty-Five (65) feet; thence azimuth 255 06' 10" 450 feet; thence 180 22" 10" 65 feet to the Southerly right-of-way; thence azimuth 75 06' 10" along said Southerly right-of-way line 450 feet to the place of beginning, situated in the City of Mattoon, County of Coles and State of Illinois, containing 0.672 acres more or less, Except the following described tract:

Commencing at the intersection of the Southerly right-of-way line of the abandoned Consolidated Rail Corporation and the West right of way line of 21<sup>st</sup> Street; thence azimuth 75 06' 10" along said right-of-way line 84 feet 6 inches, more or less, to its intersection with the East line of the Brian's Place building extended Northeasterly, to the place of beginning; then azimuth 0 22" 10", 14 feet; thence azimuth 75 06' 10" parallel to the Southerly right-of-way line of the abandoned Consolidated Rail Corporation 114 feet; thence 108 22' 10' 14 feet to the Southerly right-of-way line of the abandoned Consolidated Rail Corporation; thence azimuth 75 06' 10", along the said Southerly right-of-way line 114 feet to the place of beginning, situated in the county of Coles and State of Illinois; containing 1,596 square feet.

**WHEREAS**, the First National Bank, as Trustee under Trust Agreement dated May 13, 1999, Land Trust Number 076, d/b/a Brian's Place, now desires to assign said Lease to NPH II, LLC, an Illinois limited liability company; and,

**WHEREAS**, the City Council for the City of Mattoon, Coles County, Illinois, deems that the Lease is in the public interest.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The City Council hereby authorizes an assignment of lease from The First National Bank, as Trustee under Trust Agreement dated May 13, 1999, Land Trust Number 076, d/b/a Brian's Place to NPH II, LLC, an Illinois limited liability company.

**Section 2.** The current Assignment of Lease Agreement and the original Lease Agreement dated March 6, 2001, are each attached and incorporated herein by reference.

**Section 3.** The City Council hereby authorizes the Mayor and City Attorney to take such other administrative actions that may be necessary to implement the intent of this Special Ordinance.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 2<sup>nd</sup> day of January, 2019, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Owen

Approved this 2<sup>nd</sup> day of January, 2019.

/s/Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/Dan C. Jones  
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on January 2, 2019.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted finishing old business. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY noted processing of nuisance properties; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

CITY CLERK – noted the renewal of all eligible liquor licenses; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted preparation of budget worksheet with distribution to Department Heads and a timeline to be determined and preparation of a projected budget through November 30<sup>th</sup> resulting in approximately a \$566,000 deficit. Mayor Gover opened the floor for questions with no response.

FIRE announced Firefighter Mike Ueleke's report of collecting \$6,000 for Operation Sleighride which served 196 children this Christmas, and preparation of the Year-End Reports. Mayor Gover opened the floor for questions with no response.

POLICE reiterated the need for additional future personnel at the Police Department beyond replacements. Mayor Gover opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven and Hall had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 6:40 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

/s/Susan J. O'Brien  
City Clerk